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UNITED STATES DISTRICT COURT DISTRICT OF NEVADA

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ROBERTO DURAND,

Plaintiff,

Case No. 3:19-cv-00460-MMD-CBC

ORDER

ELY STATE PRISON, et al.,

Defendants.

I. DISCUSSION

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On August 21, 2019, the Court informed Plaintiff that his application to proceed *in forma pauperis* was incomplete because Plaintiff had not submitted an inmate account statement with his application. (ECF No. 4). The Court ordered him to file a complete application to proceed *in forma pauperis*, including the required financial documents, within thirty days. (*Id.*). Plaintiff now has filed an application to proceed *in forma pauperis* without the required account statement and with a statement explaining that he has not yet been able to obtain the account statement. (ECF No. 5). The Court construes this statement as a motion for an extension of time to file a complete application to proceed *in forma pauperis*. The Court grants the motion. Plaintiff shall file a complete application to proceed *in forma pauperis*, including an account statement for the past six months, by October 21, 2019.

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II. CONCLUSION

For the foregoing reasons, IT IS ORDERED that the motion for extension of time to file a complete application to proceed *in forma pauperis* (ECF No. 5) is granted. By October 21, 2019, Plaintiff shall file a complete application to proceed *in forma pauperis*, including an account statement for the past six months, or pay the full \$400 fee for filing a civil action (which includes the \$350 filing fee and the \$50 administrative fee).

IT IS FURTHER ORDERED that the Clerk of the Court SHALL SEND Plaintiff the approved form application to proceed *in forma pauperis* by a prisoner, as well as the document entitled information and instructions for filing an *in forma pauperis* application.

IT IS FURTHER ORDERED that if Plaintiff does not timely comply with this order, dismissal of this action may result.

IT IS FURTHER ORDERED that the Clerk of the Court shall retain the complaint (ECF No. 1-1) but shall not file it at this time.

DATED: September 26, 2019.

UNITED STATES MAGISTRATE JUDGE